Supreme Court, U. S.
FILED
MAY 4 1979
MICHAEL RODAK, JR., CLERK

IN THE

United States Supreme Court

OCTOBER TERM, 1978

No. 78-1671

STATE OF NEW MEXICO, ex rel.
DODSON INSURANCE GROUP,
Appellant,

vs.

THE HONORABLE JAMES A. MALONEY,
JUDGE OF THE DISTRICT COURT,
SECOND JUDICIAL DISTRICT,
Appellee.

On Appeal From
The Supreme Court of New Mexico

APPENDIX TO JURISDICTIONAL STATEMENT

May 4, 1979

Mark B. Thompson III
Post Office Box 2168
Albuquerque, New Mexico 87103
Attorneys for Appellant

IN THE SUPREME COURT OF THE
STATE OF NEW MEXICO

Wednesday, February 7, 1979

NO. 12,345

DODSON INSURANCE GROUP,
Insurer,

Petitioner,

vs. Original Proceeding on Superintending Control

HON. JAMES A. MALONEY,
Respondent.

This matter coming on for consideration by the Court upon alternative writ of superintending control, with copy of petition attached, response to writ and briefs of counsel, and the Court having heard oral argument and now being sufficiently advised in the premises;

NOW, THEREFORE, IT IS ORDERED that the alternative writ of superintending control heretofore issued in this matter on January 11, 1979 be and the same is hereby quashed as having been improvidently issued.

ATTEST: A TRUE COPY
ROSE MARIE ALDERETE
Clerk of the Supreme Court
of the State of New Mexico

STATE OF NEW MEXICO COUNTY OF BERNALILLO
IN THE DISTRICT COURT

ELIZABETH COWPER, et al.,
Plaintiffs,
v.
NEW MEXICO RESTAURANT ASSOCIATION, INC., et al.,

No. CV-78-06242

STAMP
Filed in My Office
This Dec. 14 '78 P.M.
Eloise E. Young,
Clerk District Court

ORDER

This matter having come before the Court upon the motion of Plaintiffs for leave to propound written interrogatories to Defendants and to take the deposition of Francis Durkin, and the Court finding that the evidence to be obtained will probably be material to the issues of the cause,

THE COURT ORDERS that Plaintiffs be, and they hereby are, granted leave to propound written interrogatories to Defendants and to take the deposition of Francis Durkin, at defendant's cost.

JAMES A. MALONEY
District Judge

12-14-78
In Court After Hearing
on Record
w / Segal & Roehl Present
JM

MAR 6 1979

IN THE SUPREME COURT OF THE
STATE OF NEW MEXICO

DODSON INSURANCE GROUP, Insurer,
Petitioner,
vs. No. 12,345

HON. JAMES A. MALONEY,
Respondent.

NOTICE OF APPEAL
TO THE SUPREME COURT
OF THE UNITED STATES

Notice is hereby given that DODSON INSURANCE GROUP, the Petitioner above-named, hereby appeals to the Supreme Court of the United States from the final judgment of the Supreme Court of the State of New Mexico entered on February 7, 1979, quashing the Alternative Writ of Superintending Control issued by the Supreme Court of New Mexico on January 11, 1979.

This appeal is taken pursuant to 28 U.S.C., Section 1257(2).

MODRALL, SPERLING, ROEHL
HARRIS & SISK

By THOMAS L. JOHNSON
Attorney for the Petitioner
Post Office Box 2168
Albuquerque, New Mexico 87103
505 243-4511

ATTEST: A TRUE COPY
ROSE MARIE ALDERETE
Clerk of the Supreme Court
of the State of New Mexico

STATE OF NEW MEXICO COUNTY OF BERNALILLO
IN THE DISTRICT COURT

ELIZABETH COWPER, Individually and as next friend of CAROLYN COWPER and NANCY COWPER, minors, ANN COWPER and LOIS COWPER,
Plaintiffs,

vs. No. CIV 78-06242

NEW MEXICO RESTAURANT ASSOCIATION, INC., employer, and DODSON INSURANCE GROUP, insurer,
Defendants.

ENDORSED
FILED IN MY
OFFICE THIS
MAR 6 1979
ELOISE E. YOUNG
Clerk District Court

NOTICE OF APPEAL
TO THE SUPREME COURT
OF THE UNITED STATES

Notice is hereby given that DODSON INSURANCE GROUP, the Defendant above-named, hereby appeals to the Supreme Court of the United States from the final judgment of the Supreme Court of the State of New Mexico entered on February 7, 1979, quashing the Alternative Writ of Superintending Control, issued by the Supreme Court of New Mexico on January 11, 1979.

This appeal is taken pursuant to 28 U.S.C., Section 1257(2).

MODRALL, SPERLING, ROEHL,
HARRIS & SISK

By .....
Attorneys for the Defendant
Post Office Box 2168
Albuquerque, New Mexico 87103
505 243-4511

Respectfully submitted.

Mark B. Thompson III
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Albuquerque, New Mexico 87103